

IMPORTANT INFORMATION REGARDING YOUR APPEAL RIGHTS

SOCIAL SECURITY INFORMATION

Your Right To Appeal Through Social Security

If you disagree with the Social Security Administration (SSA) disability determination, you can ask that the determination be reviewed by either requesting a reconsideration or a reopening of your case. **If you want a reconsideration, you must ask for it within 60 days from the date you received the notice from Social Security that denied your application for SSI (Supplemental Security Income) or Disability Benefits. If more than 60 days have gone by from such date, you must give a good reason for the delay.** You may also file a new application at any time.

Your request must be made in writing through any SSA office. Be sure to tell them your name, Social Security number and why you disagree with the determination. Also tell them the date you were denied Medi-Cal by California. **If you have any questions as to how to file your request with Social Security, call your local SSA office immediately.** If you visit your Social Security office, please take this notice with you.

STATE OF CALIFORNIA INFORMATION

Regarding Your Medi-Cal Disability Status

The State has no authority to review your disability status if:

- (1) you are claiming the same disabling condition which SSA considered and your condition has **NOT** gotten worse, **NOT** changed or you have **NO** new disabling condition;
- (2) you are claiming the same disabling condition which SSA considered and your condition has changed or gotten worse; **AND**
- (3) there was an SSA disability determination made within 12 months of the disability-based Medi-Cal application, and SSA has **NOT** refused to reopen your case.

If you feel that the decision to deny you the right to file a disability based Medi-Cal application was incorrect, you should contact your local welfare office. Listed in (1) and (2) below are possible reasons which may allow you to apply for Medi-Cal based on disability.

- (1) The disabling condition that you are reporting is new and different from the one considered by SSA.
- (2) Your Medi-Cal application is within 12 months of the date of the SSA disability denial and your condition has changed or gotten worse and either:
 - (a) SSA **has refused** to accept your request to reopen your case;

OR

 - (b) you no longer meet the income and resource requirements of SSI but you may meet the income and resource requirements of Medi-Cal.

State Hearing Right On Issues Other Than Your Disability

Though the State may not have the right or authority to give you a hearing on your disability status (**except see reasons under “if you feel that the decision...” above**), you do have a right to a state hearing regarding your eligibility for Medi-Cal if:

- (1) there are minor children who live in the home who are deprived of parental care and support;
- (2) you are under 21 years of age or 65 years of age or older;
- (3) you are pregnant;
- (4) you live in a nursing home, or;
- (5) you are a refugee.

If you wish to file a state hearing, you may do so on the back of a Notice of Action.